

CNR No. DLST01-008189
SC No. 358 of 2021
State Vs Balwan Singh @ Vicky
FIR No. 151/2021
PS Fatehpur Beri
17.11.2023

Present: Dr. Dinesh Kumar Singh, Ld. Addl. PP for the State.
Accused produced from JC.
Sh. Paritosh Kapil, Ld. Counsel for the accused.
Sh. Ashutosh Kumar, Ld. Counsel for PWD.
PW Dr. Pawan Kumar in person.
Sh. Mohd. Imran Malik on behalf of Executive Engineer.

Ld. Additional PP for State has been assigned to this Court on sharing basis.

PW6 Dr. Pawan Kumar has been examined-in-chief by State and his cross-examination on behalf of accused is 'Nil. Opportunity given'. He is discharged.

PW Sh. Roshan Kumar is absent despite service on his mobile phone no. 9782150090.

Sh. Mohd. Imran Malik has appeared on behalf of the Executive Engineer and submits that he has not issued the certificate under Section 65B of the Indian Evidence Act and summons be issued to the concerned official who had issued the certificate under Section 65B of the Indian Evidence Act in respect of seizure of CCTV footage. He further provided the details of company which are as follows :

“Vantage Integrated Security Solutions Ltd.;
Address: (i) B-5, Industrial Area, Sector 7 Noida, Gautam Budh Nagar, Uttar Pradesh and (ii) 11th Floor, CCTV Wifi Control Room, PWD Head Quarter, New Delhi.”

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In view of the submissions of Sh. Mohd. Imran Malik, let summons be issued to the aforesaid company at both the aforesaid addresses with directions to depute the official who has given certificate under Section 65B of the Indian Evidence Act in respect of seizure of CCTV footage for next date of hearing at 10:00 AM.

Copy of this Order be dispatched to Vantage Integrated Security Solutions along with summons.

Matter is also listed at 02:00 PM today. Put up at 02:00 PM.

(Navjeet Budhiraja)
ASJ-02 (South)/ Saket Courts
New Delhi/17.11.2023

At 02:00 PM

Present: Dr. Dinesh Kumar Singh, Ld. Addl. PP for the State.
Accused produced from JC.
Sh. Paritosh Kapil, Ld. Counsel for the accused.
PW Dr. Reisha Rijal in person.

PW7 Dr. Reisha Rijal has been examined-in-chief by the State in respect of Post-mortem Report No. 465/21 of the deceased and cross-examined on behalf of accused. PW7 has also identified the signatures of Dr. Vanika on the said MLC who is report to have left the services of Safdarjung Hospital. He is discharged.

Process to Dr. Mohd. Yaseen received back unserved with the report that he has left the services of AIIMS Trauma Centre.

CMO/Medical Superintendent, AIIMS Trauma Centre, Delhi is directed to appoint a Doctor in respect of

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MLC No. 500271023/2021 of deceased Manohar and to prove the injuries mentioned therein and also to prove the handwriting and signatures of Dr. Mohd. Yaseen for next date of hearing at 02:00 PM.

Let CMO/Medical Superintendent, AIIMS Trauma Centre, Delhi be served through the IO for **05.01.2024 at 02:00 PM.**

Let PW Sh. Roshan Kumar Verma (mentioned at Serial No. 08 in the list of witnesses) be summoned through the IO for next date of hearing at **10:00 AM.**

At this stage, admission/denial of documents u/s 294 Cr.P.C. has been conducted in which the accused has not disputed the genuineness of the following documents :

1. Emergency response support system for event ID 3067822, which is Ex.P1;

2. FIR bearing number 151/2021 PS Fatehpur Beri along with certificate under Section 65B of Indian Evidence Act, which are Ex.P2 (colly).

In view of the admission of the aforesaid documents, **the evidence of witnesses i.e. Ct. Baljeet and ASI Santosh Kumar Meena (mentioned at Serial No. 10 and Serial No. 25 respectively) is dispensed with.**

List now for further prosecution evidence on **05.01.2024 at 10:00 AM and 02:00 PM.**

**(Navjeet Budhiraja)
ASJ-02 (South)/ Saket Courts
New Delhi/17.11.2023**